

April 12, 2006

Ryegate Newspapers, Harlowton Paper, Great Falls Tribune

RE: Application for an Amendment to and Notice of Environmental Assessment for ES Stone's Operating Permit 00163 for Two New Rock Collecting Sites in Wheatland County and Cascade County.

Dear Editor:

Please place the following notice in the legal publication section of your newspaper once each week for three consecutive weeks:

Legal Notice

Notice of Application for an Operating Permit Amendment (pursuant to the Metal Mine Reclamation Act (MMRA), Section 82-4-353 (1), MCA). Notice of Availability of Environmental Assessment.

ES Stone and Structure, Inc. (ES Stone), P. O. Box 28, Ryegate, MT filed an application on February 23 and 27, 2006 for an amendment to Operating Permit 00163 from the Montana Department of Environmental Quality (DEQ), Environmental Management Bureau in Helena. ES Stone has lease agreements with two ranches in Golden Valley and Cascade counties to quarry and hand pick rock for landscaping and masonry purposes. The two new sites would be on private land. The Vander Voort Site # 11 would be located on five acres located in Section 20, Township 6 North and Range 19 East, 6.5 miles south of Barber, MT in Golden Valley County. The Eden Site #12 would be located on 300 acres in Section 31, Township 19 North and Range 4 East, nine miles south of Great Falls, MT in Cascade County

The proposed new sites have been reviewed for compliance under a Supplemental Programmatic Environmental Assessment (SEA) for a General Quarry Operating Permit published by the DEQ in March 2004. DEQ has determined that the Vander Voort Site # 11 meets the requirements listed in the SEA because ES Stone would not have more than five acres disturbed and unreclaimed at any one time. ES Stone can receive an operating permit amendment without additional environmental analysis (EA) for this site. ES Stone would have to post additional reclamation bond for this site.

On the Eden Site # 12, ES Stone would have a 3.5 acre pallet and splitting yard and up to five acres disturbed and unreclaimed at any one time on the 300 acre quarry and rock picking area. DEQ has determined that the Eden Site # 12 does not meet the requirements listed in the SEA because ES Stone would have more than five acres disturbed and unreclaimed at any one time. ES Stone cannot receive an operating permit amendment for the Eden Site # 12 without additional environmental analysis. This legal notice serves as notice that a Draft EA has been completed on the Eden Site #12. Copies of the Draft EA have been sent to the ES Stone mailing list.

Copies of the application can be reviewed by the public at DEQ offices at 1520 E. 6th Ave., Helena, MT. Copies of the Draft EA can be obtained by contacting:

Patrick Plantenberg
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
P.O. Box 2000901
Helena, MT 59620-0901
or by calling (406) 444-4960 or by e-mail at
pplantenberg@mt.gov.

Please submit comments or questions on the proposed amendment and environmental analysis by May 20, 2006.

To expedite payment, please send your invoice, affidavit of publication, and original tear sheet to the address below to the attention of Sue Fairchild indicating Doc # EMB5036 135. Thank you.

Sincerely,

Patrick Plantenberg
Operating Permit Section Supervisor
Environmental Management Bureau

File 00163.37

Sue Fairchild
Montana Department of Environmental Quality
Permitting and Compliance Division
Environmental Management Bureau
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